

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

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|---------------------|---|----------------------------|
| RYAN FERGUSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 2:14-CV-04062-NKL |
| |) | |
| JOHN SHORT, et al., |) | |
| |) | |
| Defendants. |) | |

**PLAINTIFF'S MOTION FOR VOLUNTARY
DISMISSAL OF CERTAIN DEFENDANTS WITHOUT PREJUDICE**

NOW COMES Plaintiff, Ryan Ferguson, by and through his attorneys, Kathleen T. Zellner & Associates, P.C., and pursuant to Federal Rule of Civil Procedure 41(a)(2), moves this Court for an order dismissing Defendants Haws, White, Boone County, Boehm, Monticelli, and the City of Columbia, without prejudice, with leave to re-file expressly reserved, and with each party bearing its own costs and expenses. In support thereof, Plaintiff states as follows:

1. In an effort to streamline this action, Plaintiff seeks to dismiss certain parties without prejudice. Namely, Plaintiff seeks to voluntarily dismiss Defendants White, Haws, Boone County, Boehm, Monticelli, and the City of Columbia.
2. Undersigned counsel has conferred with counsel for Defendants White, Haws, Boone County, Boehm, Monticelli, and the City of Columbia, and none of these parties oppose this motion.

WHEREFORE, Plaintiff respectfully requests that this Court enter an Order granting Plaintiff's motion to voluntarily dismiss Defendants White, Haws, Boone

County, Boehm, Monticelli, and the City of Columbia, without prejudice, with leave to re-file expressly reserved, and with each party bearing its own costs and expenses.

Respectfully submitted,

/s/ Samuel Henderson

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/s/ Kathleen T. Zellner

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/s/ Douglas H. Johnson

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Certificate of Service

I hereby certify that on **September 4, 2014**, I electronically filed the foregoing **Plaintiff's Motion for Voluntary Dismissal of Certain Defendants Without Prejudice** with the Clerk of the Court to be served via operation of the Court's electronic filing system, which will send electronic notification of the filing on the same days to all attorneys of record as follows:

On behalf of the Defendant Officers:

Bradley C. Letterman
Christopher P. Rackers
Schreimann, Rackers, Francka & Blunt
931 Wildwood Drive, Suite 201
Jefferson City, MO 65109

On behalf of Defendant Boehm

David S. Baker
(see above for address)

Bruce Farmer
Robert J. Buckley
Oliver Walker Wilson LLC
401 Locust Street, Suite 406
Columbia, MO 65205

**On behalf of Defendants White
& Boone County:**

Cynthia M. Juedemann
Michael B. Maguire
Russel F. Watters
Brown & James, PC
800 Market Street, Suite 1100
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**On behalf of Defendants City and
Monticelli:**

David S. Baker
Fisher, Patterson, Sayler & Smith
51 Corporate Woods, Suite 300
Overland Park, KS 66210

On behalf of Defendant Haws:

Marshall V. Wilson
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On behalf of Defendant Crane:

B. Daniel Simon, III
Marjorie M. Lewis
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Respectfully submitted,

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